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MESSAGE

FROM THE

GOVERNOR

TO THE

GENERAL ASSEMBLY

OF PENNSYLVANIA.

READ IN SENATE, Dec. 27, 1838.

HARRISBURG:
PRINTED BY E. GUYER.
1838.

MESSAGE.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

FELLOW-CITIZENS—

The annual message to the legislature was prepared on the 4th inst. for presentation. But the scenes of confusion which then commenced and which continued to disgrace the seat of government till a few days ago, prevented its delivery. In transmitting it now, I feel compelled by every motive of official duty as chief magistrate, and of patriotism as a citizen, to preface it with a brief detail of the facts connected with the recent outrage, and to call upon you, as you love order and your rights and venerate the institutions of your country, to adopt every possible means to prevent the recurrence of similar disorders.

On the day appointed by the constitution for the meeting of the legislature, the members of the House of Representatives attempted to organize that body; but owing to a dispute relative to certain returns, *two* Speakers were chosen, and *two* Houses organised. This was, however, done peacefully, and if the members of both branches had been left in the free exercise of their minds and their rights, the difference probably would soon have been settled. But when, in the afternoon of the same day, the annual session of the Senate was commenced, a mob of lawless and daring persons were found to be in attendance, who attempted to influence and dictate the course to be pursued by that body. Certain members were admitted to seats, in accordance with the known laws of the state, but in opposition to the will of these persons. As soon as this was done the lives of Senators and others were threatened, and loud cries were heard commanding the Senate to reconsider its vote and admit other claimants to seats. To such height did this scandalous outrage proceed, that the Senate adjourned in confusion, and some members of the legislature and others, were compelled to escape from the chamber, unknown to the mob, to save their lives.

The rioters, under their leaders, some of whom were Federal Government officers, then took possession of the Senate chamber, and desecrated it by their insurrectionary harangues, in the course of which, and afterwards at other places, it was announced that a revolution had commenced. They then adjourned to the court house, where the most inflammatory speeches were made, and the most dangerous proceedings took place. Next day, and for some time afterwards, the Senate did not meet for want of a quorum—the members not deeming it safe to appear in their seats, or proper

to attempt to legislate in the presence of the rioters who filled the capitol. On the same day also, when one of the portions of the House of Representatives attempted to meet, the member who had been deputed to act as Speaker, was prevented from taking the chair, and violently ejected from the hall by the mob.

In the meantime, a body called a "Committee of safety," had been appointed by the rioters, and seemed to exercise unlimited control over them. They made the most inflammatory appeals to the citizens of the state at a distance, and, when a small guard had been placed by the keeper and by my orders in the arsenal, to prevent the public arms from falling into the hands of rash or ill-disposed persons, they were compelled to evacuate the building under terms dictated by the mob, with the concurrence of the "Committee of safety." During the occurrence of these disgraceful events neither branch of the legislature could hold a regular session, the Executive Chamber and State Department were closed, and confusion and alarm pervaded the seat of government.

In this fearful state of affairs I felt it my duty to issue a proclamation, calling on all the civil authorities to exert themselves for the restoration of law and order, and on the militia to keep themselves in instant readiness to march to the seat of government to suppress the violence. I also issued an order on the Major General of the first division of the State militia, to march his command to Harrisburg forthwith, and made a requisition on the commanding officer of the U. S. troops at Carlisle, to bring his force to the aid of the constituted authorities. At the same time the President of the United States was informed of the state of affairs, and required to take such steps under the fourth section of the fourth article of the Constitution of the United States as might seem proper. This last named measure was adopted, that if matters proceeded to extremity, it might appear that every proper and possible precaution had been resorted to by the Executive.

The result of these several applications are known to you. With regard to that made to the Federal Government, I will not now speak, further than to say, that having made it in the regular and Constitutional discharge of official duty, I felt bound, as Chief Magistrate of Pennsylvania, to protest against the reception it met with, and the highly improper reply made to it.

Fortunately, however, the appeal made to the citizen soldiers of the Commonwealth was heard, without doubt of its necessity or delay in obedience.

The presence of Major General Patterson's, and subsequently of Major General Alexander's commands, completely accomplished the object in view. Their numbers were sufficient to frown down every thing like open violence, while their correct and soldierly deportment obtained the confidence of the moderate of all parties. Under protection of their presence, the members of the Legislatnre were free to settle their own differences in their own manner. With regard to

the result of their deliberations of course I, as an Executive officer, can express no opinion. My only duty was to take measures to ensure its accomplishment, by the free ageney of the members themselves, and when that was effected to dismiss the military force.—This has accordingly been done, and the hope is sincerely entertained that a resort to similar protection may never again be required.

To the citizens of the State generally, the events of the past three weeks are fraught either with instruction or fearful omen, as they may be treated. If from them we learn the danger of departing from law and right, even in the slightest degree, or to accomplish the most desirable object, and if all make up their minds hereafter, to frown upon every originator or advocate of such insurrectionary movements, the lesson will be invaluable, and the present disgrace productive of lasting benefit. But if a repetition of the outrage be countenanced and mob threats become the rule of legislation, then it requires little political sagacity to foretell the speedy downfall of our liberty, and the complete prostration of all rights. The desperado who enters a legislative Hall to day with his bullies, to compel the admission of a particular member, will assuredly, and perhaps on the morrow, demand the passage of a law to promote his private interest at the expense of others. Nor will it be long before he uses the same means in a court of justice, to escape punishment or cheat his neighbor. Then the difference between guilt and innocence, the value of title deeds, and the sacredness of all rights, will be only nominal. Might will be right; and the minority and the timed, slaves.

The evil effects of the late disorder will, I fear, be immediately felt in the pecuniary credit of the commonwealth, unless you, her representatives, act promptly and efficiently. Well may capitalists and creditors doubt the faith of a community to them, when that community is faithless to its own dearest rights. It therefore becomes your imperative duty, gentlemen, not only to your posterity and majesty of the laws, but to yourselves and your own immediate interests, to say to the world that similar outrages shall not again take place, and that what has happened is the work of only a few desperate men, and not of the people of this great state.

This, it seems to me, can be accomplished by the enactment of severe laws against all riotous or violent proceedings at the seat of government during the session of the legislature, and by compelling the county or counties, whose citizens shall be originators or ringleaders of such proceedings, to pay all the loss caused by them and expense incurred in their suppression.

It will also be proper to revise the acts of Assembly relative to election returns, and to render the mode of making them so plain that no one can misunderstand or evade them. In their existing shape, there is some difficulty in arriving at the true intent of the legislature. In the present case, I have not the slightest doubt but that the duties of the proper executive officer, with regard to

the disputed returns, was legally and faithfully performed. But the subject is one of such vital importance that the law should be rendered perfectly plain and every shadow of doubt removed.

I am clear in the opinion that the whole of the late difficulties arose from the return judges assuming powers never intended to be delegated to them. They are merely ministerial officers. Their duty is only clerical, and consists exclusively in adding up and declaring the whole vote polled for each candidate within their district, and making return thereof to the proper officer. The law gives them no power to reject or exclude the vote of a district, or part of a district. It is from the unauthorized assumption of such dangerous power, that the whole of the recent disturbances proceeded. I would, therefore, recommend the infliction hereafter of the most severe penalties on similar usurpations.

I shall now proceed to lay before you the message as it was prepared to be transmitted on the 4th inst.

Many subjects of great interest will occupy the time of the Legislature at its present session.

The radical alterations which have taken place in the Constitution, impose duties that will necessarily claim your first attention. The people have willed the change, and it is the duty of representatives to carry out and perfect its details.

Of prominent moment among the new features in our organic law, is that which relates to the right of suffrage. It consists in—a residence of *one* instead of *two* years within the state; of ten days actual residence within the district in which the elector offers to vote, (which was not required formerly,) and of the payment, within two years, of a tax actually assessed on the voter at least *ten* days before the election. There are also other changes, chiefly declaratory of passages in the old Constitution, which were not clearly expressed in that instrument, and which do not require recapitulation.

For years much abuse and evasion of the constitutional provisions and of the laws relative to voting, have been supposed by many citizens to exist. The present occasion will afford an opportunity to guard, as far as it can be done, this inestimable right from violation. Another reason now demands more strict and specific legislation. The number of officers to be directly chosen by the people, will give to the elections more of interest, and to each individual vote more of present and local value than they formerly possessed, and will consequently subject the power of the individual voter, which has now, in a great measure, become the direct appointing power, to greater danger from fraud and malpractice than heretofore, when its influence was more remote.

Under these circumstances it is a first duty of the Legislature to form such a code of laws for the regulation of elections, as will cause their results to be known and respected as the honestly expressed will of the majority, and also to place around them such

guards as shall completely preserve peace and order during their progress.

Both these desirable objects may be accomplished by defining and establishing, beyond cavil or evasion, the evidence of the qualifications required by the constitution, to be possessed by every elector, and by ensuring the punishment of all violations of the peace at elections.

Two qualifications in addition to *citizenship*, (which is as heretofore,) entitle to a vote. First, *residence;* second, the payment of a state or county *tax*. The constitutional provisions with regard to neither can be changed nor affected by the legislature ; but the mode of establishing the fact that these qualifications are really possessed, in other words the *evidence*, can.

I would propose then, that *general* residence in the state for and during one year next before the day of election, may be proved, as heretofore, by the oath of the party offering to vote, if there be any doubt on the subject. This mode must necessarily be relied on, or the voter be perhaps deprived of his right, for in many cases he might not be able to offer any other proof: But that the *particular* residence for ten days, if doubted by any qualified citizen of the district, shall be established by the oath or affirmation of a resident taxable citizen of the district, who shall have already voted at that election, and not by the oath, or affirmation, of the party himself: and that the party himself shall be obliged to swear or affirm, if required, that his bona fide residence, in pursuance of his lawful calling, is in the particular district,—that he, at the time of voting, has no other residence or home,—and that he did not remove into it for the purpose of obtaining a vote therein.—There could be no hardship in such provisions, nor could they deprive any of their just rights, inasmuch as no one could possibly reside during ten days in one district without such fact being known to at least one of its resident citizens. Neither would it be oppression to require *disinterested* proof of actual residence, in the mode proposed, because it would only be demanding the *best proof* the nature of the question admits of, which is done in every other case.

Equally strict proof of the assessment and payment of taxes should be exacted in all instances.

In case of persons claiming to vote on tax assessed and paid *within* the district for the *current year*, the assessor's corrected list, or a certified copy of it, should be the only evidence of assessment. But to prevent all altering of, or tampering with assessor's lists, a certified copy of the list in each township should be published by being put up and exposed at the house at which the election is held, *nine* days previous to the day of election. This would both enable each person constitutionally entitled to a vote, to have himself assessed on the day before the list is completed, and would also

present an opportunity to the whole district of examining the lists of proposed voters and of taking means to prevent imposition.

And in cases of a right to vote claimed on an assessment for a *former year*, within two years next preceding the election, and within the district, no other proof should be admitted than the assessor's list of the proper year, or the published copy of it just described, which might be preserved for such use from year to year, by being taken down at the end of the election by the inspector, and sealed up in one of the ballot boxes by the judges, with a certificate to that effect endorsed on it by the inspector.—The correctness of such a document would not be questioned.

To guard against illegal voting by persons assessed and having paid tax *out of the District*, they should be required to give their names to the assessor, to be by him put up, at least nine days previous to the election, at the election house, appended to the list of assessed taxables before described, that all persons might have an opportunity of knowing the names of those who intend to vote; and an original receipt for the tax, from the proper Collector of the district in which it was paid, should be produced at the time of voting. The hand writing of the Collector should also be proved, by some disinterested person, before a known justise of the peace or alderman, and a minute of such proof endorsed on the receipt.

If to these restrictions with regard to tax receipts, which have been the ready means of much fraud, were added one that no receipt whatever shall be competent to prove payment of tax, unless it express on the face of it the year for which it was assessed, and that no tax assessed more than two years previous to, though actually paid within two years of the election, shall entitle to a vote, there would be little room for evasion or violation of the Constitution. I deem this latter provision proper, as well as necessary, because I suppose it to be the intent of the Constitution, that the tax must not only have been paid but *assessed* within the time named, and that during that period the voter must have contributed to the support of the Government under which he lives. Assessment *and* payment of tax being both required, it is fairly presumable that they were intended to occur, not only *in*, but *for* the period, or at least part of the period, designated by the Constitution.

To preserve order at elections, I would recommend that it be made the duty of the constable of each ward, borough or township within which any election is held to lodge information before some justice of the peace or alderman thereof, of the names of persons engaged in any assault, battery, intimidation, riot, or other breach of the peace, at and during the day of such election, and to return as witnesses, on the part of the Commonwealth, the names of such persons as were assaulted, beaten, intimidated or otherwise injured, or of such other persons as were cognisant of the facts, who, with the parties accused, shall be bound over to appear at the next court of quarter sessions, or Mayor's court, as the case may be: that any constable neglecting or refusing for 24 hours to lodge such information, on being required

so to do by the party injured, or by any three qualified voters of the district, shall, upon complaint before a justice of the peace or alderman, and proof of such requisition and neglect, be fined in the sum of fifty dollars; that the party or parties found guilty by the proper court of such assault, battery, intimidation, riot or other breach of the peace, shall be sentenced to pay the costs of prosecution, and be confined in the proper county gaol, not less than six calendar months; and that it shall be the duty of the proper court before whom each constable makes his quarterly return, to examine him expressly whether the elections held in his district were peaceably conducted, and if he report, or if it be otherwise proved, that they were not, and that he failed to institute the requisite proceeding, then to inflict the foregoing fine on the constable.

And to secure, as much as possible, the purity of elections, I would strongly recommend the passage of a more effectual law against betting on elections, which practice forms the very worst and most pernicious species of gambling. Betting and gaming of other kinds only injure the parties themselves, but this inflicts a wound on the rights of all, and destroys that confidence which every citizen should feel in the decisions of the ballot-box. I would therefore urge that, whenever thereto required by any voter of the district, or whenever he shall think it necessary, the inspector of each election shall cause any person offering to vote, to declare on oath or affirmation whether he is or is not directly or indirectly interested, either as principal, partner or stakeholder, in any bet on the result of *any* election to be held on that day; and if he admit that he is, or if he decline to answer, then to refuse such person his vote, and to cause the clerks of the election to make a minute thereof on the list of voters.

These provisions, together with one more effectually to prevent the highly improper and corrupting interference in our State elections of Federal Government office holders, it is believed would effectually check the spirit of fraud, disorder and betting which is rapidly compelling all good men to doubt the fairness of their results, and to fear for the permanency of a government dependant on them. We owe it to ourselves now, while reform and correction are within our power, to apply them. We owe it to the cause of virtue and republicanism—we owe it to our posterity. I accordingly again earnestly urge upon the legislature the adoption of the foregoing provisions, or of others calculated to produce the same effects.

Beside making provision that elections shall be constitutionally, fairly and peaceably held, it will also be your duty to prescribe the manner of election and return of the additional number of officers to be chosen directly by the people under the new Constitution. These include all county officers, with justices of the peace and aldermen.

With respect to county officers, it will also be for you to declare how many persons shall hold them, and how many offices may be held by the same person in the different counties. It will also be your duty to classify the associate judges of the State, in the manner prescribed by the ninth section of the schedule.

On examining the amended Constitution, it appears that the people have designated the offices which they desire to fill by direct election; they have also specified those that are to be filled by Executive appointment or nomination. But there are others for which no positive provision is made—the mode of filling which is to be determined by the legislature. These are—auditor general, surveyor general, secretary of the land office, attorney general, superintendant of common schools, canal commissioners, appraisers of damages, adjutant general, notaries public and inspectors of flour, spirits, tobacco and other articles. It is fair to presume that these officers were neither intended to be elected by the people, nor appointed by the Executive, or it would have been so expressed; and that they were to be left within the power of the legislature. It will therefore be incumbent on you to make provision for the mode and time of their appointment.

The business of the Secretary of the Commonwealth, as superintendant of common schools, has so much increased within the past three years as seriously to embarrass that officer. I would, therefore, recommend the separation of the two offices, and the establishment of a department of education. This can be done without increasing the number of officers, for those of surveyor general and secretary of the land office can, with great ease, be filled by the same person, and may be consolidated into a general Land Office Department.

The condition of the means provided by the State for general education is so flourishing, that little is required to be done by the present legislature. Within three years the permanent State appropriation to this object has been increased from $75,000 annually to $400,000; for the latter sum will be required next year to meet the increase of taxable citizens from 308,919 to 350,000, which will probably be the number returned, (though probably not more than $300,000 will be actually called for,) and to pay the annuities to colleges, academies and female seminaries, which will not be less than $50,000. Nor will this large outlay have been without its fruits. Instead of seven hundred and sixty-two common schools in operation at the end of the year 1835, and about seventeen academies, (the latter in a state of almost doubtful existence,) with no female seminaries fostered by the State, she has now five thousand common schools, thirty-eight academies and seven female seminaries in active and permanent operation, disseminating the principles of literature, science and virtue over the land. In addition to these, there are many schools, academies and female seminaries of a private character, equally useful and deserving in their proper sphere.

Of the one thousand and twenty-seven townships, wards and boroughs now in the State, each intended to form a common school district, eight hundred and seventy-five have accepted the common school system and have it in operation, and seven hundred and eighty-six have received their portions of the State appropriation for the present school year, commencing on the first Monday of June last. The number of accepting districts goes on steadily increasing, and

the usefulness and economy of the system, where fairly tested, are becoming every day more apparent.

All that now seems requisite to the complete success of the system is, that some immediate and efficient means be adopted for the preparation of common school teachers. This subject was fully explained in the last annual report of the superintendent, and will be again embraced in a revised draft of the whole school law which that officer will shortly lay before you. Permit me to bespeak for it your favorable consideration, and to hope that this last want of the system may be supplied.

I would also recommend that the power of school directors on the subject of taxation, be curtailed. When they were by law authorized to assess a school tax equal to *thrice* the amount of state appropriation coming to the district for the year, the whole amount of appropriation was only half what it now is. Perhaps absolute power of taxation in directors to that amount was then necessary; but it is not at present. I would therefore recommend that directors shall not hereafter, in any case, impose more tax on their district than a sum equal to its portion of state appropriation, unless by consent of the people, in the same manner as *additional* school tax is now authorized, viz:—by vote of the majority of the citizens.

The public works of the state will require your immediate and careful attention.

The canals and rail-roads in operation, yielded, under the most disadvantageous circumstances, an increased revenue during the fiscal year just closed. The amount of tolls was $991,252 42. This income is a most decisive proof that her claims of improvement are on the eve of amply remunerating the state for their vast cost. The amount of tolls for the year would, under ordinary circumstances, beyond a doubt have been a million and a half of dollars. This will be credited when it is borne in mind that fully one half of the regular trade of the main line was lost to the state during two-thirds of the navigable season, in consequence of the breach on the Juniata, and that, to retain the balance, the Canal Commissioners found it necessary to take the toll off ninety miles of the most profitable part of the remainder, viz:—between Huntingdon and Duncan's Island, to which, if the distance from Huntingdon to Hollidaysburg be added, the distance thus unavoidably rendered wholly unprofitable was one hundred and twenty-nine miles. Still the works yielded, and it is a triumphant proof of their value and productiveness, little short of a million of dollars within the fiscal year. The income from them the present year may, in view of these facts, with perfect safety be estimated at *one million six hundred thousand dollars*, with a favorable season.

The completed canals and rail-roads, except part of the upper portion of the Juniata division, have been kept in the best state of repair, and have been almost uninterruptedly in use during the year.

The Columbia and Philadelphia rail-road paid $210,393 91¼ in addition to maintaining the motive power and defraying the cost of repairing the road and supervision, or a sum about equal to *seven* per cent. on the whole cost of construction and of locomotive engines.

By an unavoidable accident the wooden bridge over Valley creek, on the last named improvement, was burned in March. With nuparallelled despatch a temporary bridge was completed in its place in nineteen days, and in the mean time nearly all obstruction to the trade was obviated by wagons employed by the State agents. A beautiful and permanent bridge, without roof or cover over the road way, and with double track, is now completed and in use. It is a decided improvement to the road. The cost exceeds by $2,218 13¼ the original estimate by the engineer, owing to the fact that the temporary structure was more expensive than was at first anticipated; an appropriation of that amount will accordingly be required to enable the proper officer to pay the final estimate and close the account.

It is a matter worthy of inquiry, whether the roofs of most of the larger bridges on this road could not be dispensed with, and a double track laid on each, at small cost to the state. It would, beyond a doubt, form a great improvement, by wholly removing all danger from collision of trains, and decreasing very greatly the risk of total loss of the bridges by fire. It is believed that the present structures, with some additional timbers and slight alterations, could be made to answer this purpose by being lowered below the level of the road way.

Experience on this road for the past two years has completely removed all doubt as to the use and management of steam as a motive power, by the state agents. The year just closed exhibits a balance in the motive power fund of the road, of $30,231 80, after defraying all claims of the year upon it. A nearly similar state of things exists on the Allegheny Portage rail-road. The motive power toll paid all claims upon it with the exception of about $1,000, though subjected to much expense that will not hereafter arise, caused by the increased number of locomotives used during the year, which of course made many preparatory arrangements necessary that will not be again required, and which were calculated for an amount of business that was not realized.

Another most valuable result of the experience of the year on the Columbia and Philadelphia rail road, is the complete success of the trials to use anthracite coal as a fuel for the generating steam in the locomotive engines. The invention of Mr. Brant, the master machinist at Parkersburg, has completely effected this desideratum. Thus, by the use of one of our chief staple commodities, the state will save a large amount yearly—will add to the certainty and despatch of the use of her roads—and, what is a no less valuable achievement, will decrease very largely the dan-

ger, from fire, to the property of the citizens resident along the lines.

During the year, the new bridge at Duncan's Island has been completed. It cost $92,567 81, was passable for wagons in less than seven months from the day when the first stone of the piers was laid, and has been used as a towing-path bridge the whole season. It is now one of the most beautiful and solid structures in the state, and promises to be permanent.

The dam at the same point has also been most substantially and effectually repaired. The old defective structure was a continual cause of expense to the state, and of loss and vexation to passengers and transporters. It was so open as to permit nearly all the water of the river to pass through when the stream was low. It is now solid and nearly water tight. During the almost unprecedented drought which prevailed over the state from July till November, no difficulty whatever was experienced in the levels of canal dependent on it for supply. This was owing to the judicious measure adopted by the engineer and contractors in raising, early in the season, a coffer-dam across the whole stream, which answered the double end of keeping the water off the workmen engaged in making the repairs, and of throwing an ample supply into the canal.

Owing to these and other improvements at Duncan's Island, that point, which has been such a cause of vexation, expense and delay in the use of the main line ever since its first completion, promises hereafter to cause no embarrassment whatever.

Other repairs and improvements, in different parts of the state, were required and have been made on the public works, as will be explained by the report of the canal commissioners; but the main difficulty was experienced on the upper sections of the Juniata Division.

It is needless to dwell at large on or describe the devastation which occurred on the 19th of June, between Huntingdon and Hollidaysburg. Suffice it to say, that the Allegheny torrents rose in their might and nearly obliterated in the short space of ten hours, forty miles of as solid improvement as was in the commonwealth. Dams, aqueducts, culverts, locks, banks, and in many instances the very bottom of the canal itself, were swept away, and the whole left in a state requiring nearly as much labor and expense to render it navigable as on the day when the first location was made.

Under these circumstances the first duty of the public agents was to take measures that the business of transporters and others, who relied on the state works as a medium of transportation, should suffer as little delay or loss as possible. Accordingly the toll was taken off freight on ninety miles of the canal between Huntingdon and Duncan's Island, and subsequently off passengers, to enable the companies to meet the unexpected and heavy

expense necessarily incurred by staging and wagoning across the breach in the line.

The canal commissioners were happily on the spot when the misfortune occurred. They at once despatched the engineer of the line to survey the injury and estimate the sum and time requisite to make the repair. He reported that the work would occupy at least four months, and cost $400,000.

When this intelligence was received at Harrisburg, it became at once necessary to decide the question whether the legislature should be convened to provide for this sudden calamity, or whether the executive should endeavor to raise the necessary funds and have the repairs made without the delay or expense of an extra session. The latter expedient seemed the more prudent and economical one under the circumstances, but before a final decision was made, a letter was received from the president and directors of the bank of the United States, offering to the executive, on the faith that the legislature would ratify the transaction, the loan of any sum that might be required. The patriotic offer was at once gladly accepted, and relieved me of much anxiety. The correspondence on the subject accompanies this message and will exhibit the terms of the loan.

The work has since advanced with all the despatch that it would admit of; and the accounts and vouchers of the disbursing agents, who gave ample security for the faithful discharge of their duties, have been duly deposited and examined in the Auditor General's office. The water was let into the whole distance on the 20th ult., and though little benefit was derived from it during the navigable season just closed, yet it will be of vast importance to the state to have the line in perfect readiness to accommodate the business of next spring, which could not have been the case if the repairing of the breach had been delayed by calling an extra session of the legislature.

The whole work will cost when completed, $380,000, of which $330,000 have been received from the Bank of the United States at four per cent. per annum, and $50,000 from the Harrisburg Bank, at five per cent. The balance remains to be provided for by the legislature. The sum received from the Harrisburg Bank was borrowed on the private credit of the Executive, Canal Commissioners, Secretary of the Commonwealth, Auditor General, Secretary of the Land Office, Surveyor General, and two public spirited, though private individuals, (Thomas Elder and Jacob M. Haldeman, of Harrisburg,) on the 30th of June, for the purpose of commencing the repairs, till such time as the mode of obtaining the whole sum requisite, and of carrying on the work, could be arranged, which was shortly afterwards satisfactorily accomplished by the liberal offer of the Bank of the United States, as before explained.

It now becomes the duty of the legislature to redeem the faith of the State as pledged by the Executive, under circumstances that ad-

mitted of no other course, without great and manifest detriment to the public interest. I feel the most perfect confidence that this will be done, and I hope it may be entered on without delay.

The disagreeable dilemma in which I felt myself placed, when this calamity occurred, suggests the propriety of recommending a standing legislative provision to meet similar cases. The one that has appeared safest, and yet most effectual, is to confer on the Governor, Speakers of the Senate and House of Representatives, Auditor General and State Treasurer the power, whenever an unexpected breach, or other injury of the public works shall occur, requiring more than $50,000 to repair it, to negociate a loan on the faith of the State for the requisite amount, or to take it from some specific appropriation made by the preceding legislature, but not instantly requiring the money.

The decision of a board of this kind, would be as safe as that of any other body that could be convened, except the Representatives of the people themselves, a majority of it being elected by the legislature, and the whole consisting of public servants, fully amenable for their conduct. Such a provision is accordingly recommended.

If this mode or some other calculated to accomplish the same end be adopted, the ordinary repair fund for any year, need not be greater than the finished lines will actually require, which may at all times be ascertained in advance, with great precision.

The progress of the new works during the year has been steady and satisfactory. The additional distance authorized by your predecessors to be put under contract on the Erie extension of the main line, the North and West branches of the Susquehanna and Gettysburg rail road, were let early and at reasonable prices. Further appropriations to each of these improvements are required.

The Wiconisco and Kittanning extensions, authorized by the improvement bill of the same session, were also put under contract, and the small appropriation made to the former has been expended. They are both works which, if they were yet to be commenced, should neither be undertaken in the present condition of the Treasury, nor in view of the stronger claims of other works long since begun, but yet unfinished. But they are now, by the deliberate voice of your predecessors, incorporated as a part of the system, and should be carried on as rapidly as the resources of the State and prior claims will justify. The former particularly, being a light work and holding out a certain promise of ample remuneration in the way of toll, the instant it is made to connect with the rich Lykens Valley coal region, by means of the Lykens Valley rail road, has strong claims to favorable consideration.

The report of the Canal Commissioners will exhibit in detail the condition and wants of the whole system of public works, both completed and in progress. To that document you are referred for full information on both subjects.

In connexion with her improvements, which form the chief de-

mand on the Treasury of the Commonwealth, the situation of her finances is to be taken into view.

The appropriations of last session were made with great profusion. They exceeded by nearly one million of dollars, the amount which a prudent foresight seemed to me to justify. At the commencement of the session a full expose of the means of the state and the most pressing claims upon the treasury, was exhibited. During the course of the session an adherence to moderation in expenditure, was attempted to be enforced by every means within the power of the Executive, on every proper occasion, but without success. And finally, the unpleasant alternative was presented, as had been foreseen, of sanctioning appropriations, of which, in the existing condition of the public finances, he could not approve, or of wholly obstructing the use of the completed works, by defeating a bill containing the indispensable provision for repairs. Under these circumstances that bill was sanctioned; but no act of my public life was ever performed with greater reluctance.

The only check left was to decline subscribing to the stock of the companies that were partipant of the favors of the law, till it should be ascertained that the money could be had on loan at the rate of interest which was believed not only to be reasonable, but which the course of legislation for the last two years had established as that to be given for future loans. This decision of the Executive produced a very trifling excitement on the part of some of the companies, which, however, soon of itself subsided. The money was subsequently obtained at four per cent. and applied to the purposes designated by the legislature. The loan in question ($600,000), was taken by the following institutions in the following proportions, and has all been paid into the treasury, viz:

The Girard Bank,	$100,000
" Philadelphia Loan Company,	100,000
" West Branch Bank at Williamsport,	50,000
" Farmer's and Mechanic's Bank,	50,000
" Bank of North America,	35,000
" Bank of the Northern Liberties,	15,000
" Manufacturers' and Mechanics' Bank,	25,000
" Schuylkill Bank,	40,000
" Commercial Bank,	35,000
" Kensington Bank,	15,000
" Bank of Pennsylvania,	100,000
" Bank of Penn Township,	10,000
" Western Bank of Philadelphia,	7,500
" Mechanics' Bank,	17,500
	$600,000

Though the state may delay repaying these loans till the expiration of one year from the time when they were made, which was

at different periods between the 18th of June and the 15th of October, 1838, yet it will be proper that the money shall be refunded with as little delay as possible. In the correspondence with the Banks on the subject, they were given to expect that re-payment would take place before the first of February, 1839.

The temporary loan authorized by the 3d section of the same law, having become necessary for the contingent object for which it was authorized, was also obtained at four per cent. and applied by the canal commissioners to the proper works. It was taken by the Bank of the United States. That institution also agreed to permit the temporary loan alluded to in the joint resolution adopted on the 16th of April, 1838, to continue another year unpaid at four per cent. The former of these will fall due on the 18th of October, and the latter on the 6th of June, 1839.

By these loans, the only controul over which, allowed to the executive, was that of keeping down the rate of interest, the state treasury, in spite of calculations and estimates to the contrary, has continued and still does continue to discharge all claims against the commonwealth.

The whole amount of receipts into the treasury during the year, ending with 31st of October last, including the balance from 1837, was $4,989,223 03, and the whole amount of payments for all purposes was $4,889,863 73. Showing a balance that day of $99-359 30.

Among the disbursements are included $157,622 89 paid, as expense in part of the Convention to propose amendments to the constitution. During the preceding year $71,939 67 had been paid, on the same account and it is supposed that a balance of $50,-000 is still or will become due, so that the whole expense of the Convention and its incidents will be $279,362 50.

The probable amount of income from all sources during the present year will be $3,453,838, viz;

Canal and rail road tolls,	$1,600,000
Bank of United States for common schools,	100,000
Land and land office fees,	62,000
Auction duties and commissions,	90,000
Dividends on bank stock,	160,000
Tax on bank dividends,	115,000
Dividend on turnpike, bridge and navigation stock,	45,000
Retailers' licenses,	80,000
Tavern licenses,	50,000
Collateral inheritance tax,	23,000
Tax on writs,	25,000
Tax on certain officers,	8,000
Tax on loan companies,	4,000
Hawkers' and tin and clock pedlars' licenses,	6,000
Fourth instalment surplus revenue,	955,838

Balance of loan per third section of act of 14th April, 1838,	125,000
Miscellaneous,	5,000
	$3,453,838

The probable demands on the treasury, exclusive of appropriations to be made during the present session, and of loans which will be due during the year, will be $3,323,927 91, viz:

Balance of appropriations for internal improvement purposes, by act of 14th April, 1838,	$532,057 01
Do. do. to turnpikes, state roads and bridges,	95,670 90
For motive power,	240,000 00
Interest on State debt, salaries of collectors, lock keepers, &c.	1,180,000 00
Expenses of Government,	290,000 00
Balance of expense of Reform Convention,	50,000 00
Militia expenses,	25,000 00
Pensions and gratuities,	50,000 00
Education,	350,000 00
House of refuge,	5,000 00
Penitentiaries,	21,200 00
Geological survey,	16,000 00
Interest on treasury loans,	99,000 00
Cost of repairing Juniata canal,	380,000 00
Interest of temporary loans,	40,000 00
Miscellaneous,	50,000 00
	$3,323,927 91

This will leave a balance at large, during the year, of only $129,910 09, which would have been $2,100,000; at least if your predecessors had not been so liberal of the public funds, and if the yield of the public works had not been reduced by the breach on the Juniata. But it is too late to remedy past profusion or misfortune. The future is now to be provided for.

It will be your first duty, in reference to the public works, to provide the necessary repair fund for the present year. The immediate appropriation of a sum sufficient for that purpose, is strongly recommended as a means of ensuring their continued use, and consequently the largest return from them during the next season.

It will be for the legislature next to decide whether the works now in progress shall receive appropriations for the present year; and if so from what source the means shall be derived; and also to provide funds to pay the loans that will fall due.

I once thought that no combination of circumstances could cause me even to hesitate in advocating the speediest means that could

be devised for the completion of our noble system of improvement; but the experience of the past two years has, I confess, shaken my confidence in the attainment of this desirable end within any reasonable period. I have beheld the treasury amply supplied with means, and yet the session terminate without any provision for the prosecution of the works, because the terms dictated by companies and sectional jealousies could not be complied with. The next year the executive has been compelled, for the sake of obtaining a repair fund, without which even the portion already in operation would have been thrown idle, to sanction a bill pouring almost the last dollar of the public into the coffers of the private companies and into new channels.

Thus has it come to pass, that, notwithstanding a succession of circumstances the most fortunate, and of receipts the most ample and unexpected, the commonwealth is left without means to continue her own works and redeem her own faith. Her contractors, her citizens and the public generally, are, I fear, about to possess good cause of complaint that she has entered upon undertakings that she cannot accomplish; or, as the only alternative, the means to complete and render productive the projects of private speculation, which have already proved so burthensome to the treasury and so insatiable in their demands, must continue to be granted without regard to consequences.

If I could believe that the lesson thus far would be sufficient to produce reformation, I could even compel myself to recommend an increase of the state debt to meet the urgent wants which are now around us; but I cannot. The same spirit is yet at work—the same tax will still have to be paid by the state for permission to apply even her *borrowed* funds to her own works. All I can do, therefore, is to commit the matter to the legislature with a statement of the sums that are required, and the source from which they may be obtained, if resort to it be thought advisable.

The Erie extension will not exceed $500,000. A similar sum will be required on the North Branch Canal. $300,000 will be the least that will effectually commence laying the rails on the graded portion of the Gettysburg rail-road, and continue the grading of the remainder; $200,000 will be necessary on the West Branch Canal; $100,000 on the Wisconsin Canal and Allegheny Feeder each; $300,000 for ordinary repairs, and $100,000 for damages, locomotives, &c., together with $1,000,000 to pay temporary loans, making in the whole $3,100,000.

The only means left for obtaining this large sum, is that of borrowing; and the only source, without paying an unreasonable interest, is the bank of the United States, which, under its charter, may be compelled to lend its money at 4 per cent.

If money be at all appropriated for the continuation of the works under contract, less than the sum just designated for each will be of little avail, and double the amounts named should be given if it

could be afforded; and if it is obtained, it must be borrowed. I wish, however, to be distinctly understood as not recommending that course. But, in communicating to the legislature the condition of the various interests dependent on their action, it is my duty to omit none.

Connected with the finances of the State, another subject of importance should receive your attention $694,000 00 of the State permanent loan will fall due in 1839, and $150,000 00 in 1840. I have no hesitation in recommending that a sufficient amount of money to pay off these five per cent. loans when they become due, be borrowed from the Bank of the United States, at four per cent. and applied to that purpose in the mode described in the annual message of 1836. It would also appear to be advisable to offer to redeem such of the other five per cent. loans as shall become due within the next few years, in the same manner. By adopting this expedient, the annual draft on the treasury will be lightened, without any increase of the principle debt.

It is presumed that capitalists who hold stock in the five per cent loans about expiring, will not be unwilling to dispose of it now, for more permanent investment. The monetary confusion and distress through which the country has been made to pass, by the experiments of the general government, seem about subsiding, and confidence between man and man, and in public faith, and institutions is returning. This, then, will not be an unpropitious moment for Pennsylvania to offer her creditors their money, that they may apply it permanently, in aid of some of the numerous projects of improvement that are in contemplation, or only awaiting the means of completion.

During the year just closed, a most healthful change has been accomplished in our currency, and a correspondent improvement is now developing itself in all the various relations and interests that depend on that credit and confidence which forms the true basis of the circulating medium. The commencement of the year saw the State covered with paper issues, in open violation of the plain words and meaning of the law, but which the necessity of the case seemed to justify. They were taken almost without reluctance, in all the dealings of the community, and no move was made towards inflicting the enacted penalty on those who emitted them. At the same time, the banks had locked up the hard money of the State, to await, as they said, the moment when it might be again paid out without danger of total withdrawal from us, and without risk of injury to the institutions or their debtors. These reasons for the course pursued seemed sound, and the people acquiesced. The end has verified them and justified the confidence reposed.

The workings of this law of necessity—the law above all law—in the hands of an honest and intelligent community, were watched with intense interest. It was a glorious spectacle to be-

hold a whole people, as one man, waiting calmly and patiently for the safe moment of disenthralling themselves; not vindictively, one upon the other, but the whole, for the good of the whole—from the grinding and gratuitous infliction. It was a noble proof of the fitness of republicans, for self government, and was even enhanced by the fact that the people were laboring to abate the nuisance, not only unaided by, but in opposition to the efforts of those whom they had placed at the head of the whole nation to guard their interests.

The duty of the Executive of this State was plain. It was to encourage the people in their patient course of suffering, till the moment for effectual self-relief should arrive, and to sustain their monied institutions, so long as they seemed to act for no other object than the common good. In this attitude, the rising of Congress announced that the people might once more take measures for their own relief, without danger of mischief or counteraction from their public servants. A call was at once made on all to restore the safe empire of the law. It was nobly responded to, and has proved perfectly effectual. Never was there a more praiseworthy instance of moderation exhibited by any community, than by the citizens of this State, at the time of the suspension of specie payments and during its continuance, nor of patriotic devotion to law and the public good, than that displayed by their monied institutions in the resumption. The consequence is that our currency is now restored to its former soundness, and all distrust has disappeared.

Though I feel bound to bear this just tribute to acts that have been so fully sustained by their result, yet I cannot conceal the opinion that some part of the difficulty arose from defects in the organization of the banks themselves. I shall not now occupy your time in recapitulating the remedies which these defects seem to indicate. That duty I attempted fully to perform in the last annual message, to which you are respectfully referred, with the remark that the changes then recommended are still deemed proper and requisite.

In other respects the public concerns of the state have exhibited their usual order and prosperity, with the exception of a disgraceful riot in the city of Philadelphia on the 17th of May.

The particulars of that outrage are too generally known to need repetition or comment here. So flagrant, however, was it, as in my opinion to call for the interference of the Executive to aid in the apprehension of the perpetrators. A proclamation of reward was accordingly issued. I hope this may be the last attempt, on the free soil of Pennsylvania, to molest a peaceful and orderly assembly of citizens. Those who counsel such violent proceedings, should bear in mind that if their opponents are in error, their cause will only acquire additional notoriety and permanence from any opposition which takes the appearance of oppression; whereas,

if its claim on public opinion be left wholly to its merit, it will soon sink into oblivion, unless there be something in it really worthy of favor.

Some of the sister states that border on the Canadas were, in early part of the year, the theatre of occurrences that at one time threatened to lead to unpleasant consequences. These scenes have been recently renewed, but the character and true object of the persons engaged in them are now well understood, and scarcely any danger exists of collision between the British and United States governments. The chief feature that bears an appearance of importance in these proceedings, arises from the nature of the organization made use of. It has been communicated to me from a source entitled to unlimited credit, that numerous Masonic lodges, embracing many thousands of sworn members, have been recently established in the frontier states, with the express object of attacking and revolutionizing the adjoining British provinces. Those who know the perfect adaptation of sworn secret societies to such an object, and the reckless character of many of the persons probably engaged in the enterprise, can credit the statement. It is to be hoped that no citizens of Pennsylvania will be found concerned in an undertaking so injurious to the rights of a friendly nation, and in such direct contravention of every principle of international law. The fact, however, presents one more and a most convincing reason for the enactments of severe and effectual laws against the administration of extra-judicial oaths.

I have frequently brought this subject to the attention of the legislature. It is again presented with an ardent hope that the necessary legislation may take place, and that the stumbling block may at length be removed.

In reviewing our own domestic history for the past year, many useful suggestions present themselves.

The Geological survey authorized by the session of 1835-6, is steadily advancing. Fully one half of the state has been traversed and examined, a considerable part of it with all the minuteness requisite to a final report. I have not been informed that further aid will be necessary to complete this valuable and interesting undertaking. When brought to a close much highly important information may with certainty be expected from the general report. The publication of the discoveries and results of the investigation thus far has been very properly excluded from the annual communications to the legislature. It will require the whole term of the survey to enable the Geologist to give them that certainty and precision, which will form their most valuable feature, and which can alone grow out of oft repeated and continued examinations, analyses, comparisons and inquiries. The wisdom of this course will be fully admitted when the whole results shall be laid before the state.

The bearing of the survey on the articles of coal and iron, and

upon the large and varied interests connected with them, imparts its chief interest. For several years, heretofore, little importance was attached to the exact deductions of Geology, Minerology and Chemistry, as connected with these staple commodities. This was the case more especially with regard to the former. Large tracts of coal land were known to exist, but little desire was manifested to ascertain with exactness their boundaries, or the relative qualities of the mineral. Those were the days of *speculation* in coal land, and the projects of the speculator not unfrequently shunned the unerring decisions of science. But they are passed, and the days of actual *operations* in the mine have succeeded. It is now for the interest of all to dispel illusion and to subject every project and every hope to the full light of science and truth, before capital is invested or labor expended.

The successful experiments that have been made at Karthaus and Farrandsville, to smelt iron with bituminous coal, and at Manayunk, Mauch Chunk and Easton, with anthracite, add new interest to this subject. So perfectly satisfactorily have they proved, that large furnaces, in which anthracite coal alone is to be used as fuel, are now in progress of construction, at several points in the state. The successful union of stonecoal and iron ore, in the arts, is an event of decidedly greater moment to the prosperity of our state, than any that has occurred since the application of steam in aid of human labor.

The trade in coal and iron will undoubtedly form the main business of the vast but yet only half accomplished system of works in which the State is embarked, and the chief hope of paying off the debt of their cost. The transporting of produce from the interior, and merchandize from the sea-board, will, no doubt be great, and Pennsylvania will always possess her due portion of it. But it is not necessary for her to desire its monopoly. Her people, as citizens of the nation, are satisfied to see sister states embark in the noble rivalry; and, while they are convinced of the many advantages of their own routes, can rejoice to know there is room for the full success of all. But when her coal and her iron descend from her mountain regions, into New York and the vast Lake country, from the North Branch canal—are discharged at Erie and Cleveland, as well as Pittsburg and Beaver, from the same canal boat which loads at the mine or iron works—are poured through the widened locks of the Union canal, and the completed Tide Water canal, as well as the Delaware and Schuylkill canals, upon the wharves of her own commercial Metropolis—the magnitude of the trade beyond that of the mere carrying of produce and merchandize, will then only be fully appreciated. If, to these channels of wealth, be added continuous rail roads from the Eastern to the Western Emporiums—travelled by at least one thousand busy passengers daily, and an uninterrupted water communication between the Delaware and Lake Erie, for the heavy trade, the cause which enables Pennsylvania to look, without fear or jealousy, on the works of other states, is apparent.

In such view of the subject, the necessity for opening, widening, and deepening every channel, and the policy of retaining the great leading avenues and outlets in the immediate ownership and control of the commonwealth, become evident. Hence, the early enlargement of the Union canal to the size and capacity of those of the state, is a project of much interest to the public. Hence, also, the ultimate possession of the canal from Columbia to the Maryland line, should never be lost sight of as a measure indispensable to the perfection of the grand system. The state now possesses the right to acquire this work at a *time* and *price* fixed in the law authorizing its construction, and the Legislature should be cautious not to grant any privileges that may postpone the one, or add to the amount of the other.

That all these desirable events can be accomplished, is as certain as that the time of their arrival will be postponed, by persisting in the same course of squandering the public resources, which has surrounded our condition, at the present moment, with so much difficulty.

A joint resolution was adopted by the Legislature on the 16th of last April, making it the duty of the Secretary of the Commonwealth, to obtain through the agency of the assessors of county tax, to collect general statistical information relative to the agriculture, manufactures, commercial and mining operations of the state. The resolution being adopted after the period when the assessments were actually commenced for county purposes, the queries directed by the resolution were, consequently, not issued until recently. This afforded more time to make them full and comprehensive, and to prepare the proper instructions. They were issued in the early part of last month, through the medium of the different boards of county commissioners, with directions to have the information collected during the present month, so that it might embrace one full year.

It has been recently ascertained that the commissioners of several counties decline distributing the queries to the assessors, and enjoining on them a compliance with the requirements of the resolution, on the ground that they are not expressly required to do so by its terms. But the resolution could not well be carried into operation without their agency. The names and address of the different assessors were not in the possession of the Secretary, neither did it seem proper for him to employ them in performance of a duty, for which the resolution expressly declares, that they are to be paid out of the respective county treasuries, without the knowledge and concurrence of the commissioners. It therefore becomes proper for the Legislature to take some further action on the subject, without delay, if a report is desired at the present session. The queries or tables have been carefully prepared and distributed at considerable expense; the postage alone amounting to upwards of a thousand dollars, though the packages were sent to all the nearer counties by private conveyance.

Circulars have also been issued to the sheriffs of the different counties, calculated to elicit the information relative to county prisons, under the resolution adopted by the House of Representatives

on the 19th of December, 1837. It is expected that the replies will be received during the present month, so that a report can be prepared and submitted early in January.

A circular was also sent to the directors of the poor of each county, that has a house for the support and employment of the poor, calling their attention to that portion of the 34th section of the act of 13th June, 1836, entitled "An act relating to the support and employment of the poor," which makes it their duty to forward annually to the Executive for the use of the Legislature, a statement of the accounts of their respective institutions. This duty has been very generally neglected heretofore, and the Legislature thereby deprived of much useful information.

Occasion was taken at the same time to elicit from the directors and sheriffs full information of the number and condition of lunatic or insane persons in each poor house or prison. It is stated, by many humane persons, conversant with the subject, that much wretchedness and suffering exist, especially in the poor houses, which might be alleviated, if not wholly avoided, if the melancholy extent of the evil were generally known. When the desired information is received, it will be laid before you, that the proper corrective may be applied. This, most probably, will be found to consist in the establishment of a public assylum for deranged or insane persons. Such an institution is wanting as a companion to our deaf and dumb and blind assylums. I feel that it is unnecessary further to urge this subject upon your favorable consideration.

The encouragement given by the Legislature of last session to the growth of the mulberry tree and the production of silk, has thus far proved efficient, and promises to include the silk business among our chief subjects of industry and sources of wealth. Many hundred thousands of mulberry plants have been set out, and a large quantity of cocoons produced. The reeling of silk has been regularly practiced at many places, and silk looms established at Philadelphia, and Economy, in Beaver county. The business seems to have gained such a footing among us as to promise permanence and profit. It seems to be a branch of industry admirably adapted to the habits and strength of the inmates of our county poor houses. It is worthy of inquiry, whether a slight encouragement, say a small donation annually to the steward of each institution who shall produce a given number of pounds of cocoons, might not have the effect of substituting a light and pleasant employment for the more laborious occupations in which the paupers are now engaged, and accellerate the permanent establishment of the business in the State.

In accordance with the provisions of the act of last session on the subject, Messrs. A. D. Bache and F. Fraley, of Philadelphia, and W. P. Alrich, of Washington county, were appointed commissioners to examine and report to the Legislature, at its present session, on the subject of the revision of the Map of the State, so as to correct the errors in its topographical delineations, and to represent the Geological and Mineralogical features of our territory. It is under-

stood that the board will shortly report. The result of their examinations will be laid before you, and will of course receive due attention.

The act of 1834, relative to weights and measures, which was continued in force by an act of last session, has not yet been carried into operation; but a prospect is now presented of speedily accomplishing part of its requirements. I have recently been informed by the proper department of the General Government, that the standards of weight provided under the act of congress for the different states, are ready for delivery. They will shortly be placed in the Secretary's office at this place, and copies will be made for each of the counties. In fulfilling the latter duty, the aid of the Franklin Institute has been promised, and will be relied on.

Until the standards for the different counties were procured and furnished, it was not thought expedient to appoint a regulator in each county, as directed by the act of 1834. Under the new Constitution it will be the duty of the Legislature to prescribe the mode of appointing those officers.

The attention of the executive was, a short time ago, called by Col. Pleasanton, of the 1st regiment of Pennsylvania Volunteer Artillery, to the fact that the State possesses a number of pieces of old brass ordinance of various patterns and calibres, scattered over the state, with a suggestion that it would be proper to have them re-cast, and thus rendered really useful and valuable. It was also stated that the work could be done well and reasonably, at a foundry established near Springfield, Massachusetts. The proposition was approved of, and the Adjutant General, with the aid of Col. Pleasanton, (which was liberally offerred) instructed to have them collected at the different arsenals. The communications of Col. Pleasanton, accompany this message, and will explain the subject fully. I concur in the propriety of the measure, with the hope, however, that the change may not be made to embrace pieces of cannon, with which are associated any of the glorious events of the Revolution.

Commodore Elliott, of the United States Navy, not unmindful of his native State, while bearing the flag of the nation, over distant seas, has made me the agent of presenting to the Legislature, in his name, a beautiful and appropriate gift. It consists of a likeness, in oil, of Christopher Columbus, the discoverer of our Continent, and another of Americius Vespucius, from whom it received its name. To these is added the figure of the American eagle, carved by an American citizen, in marble, from Alexandria Troas.

The Commodore's letter accompanies this message. The presents are now in the Executive chamber, subject to the disposition of the Legislature, and will, I feel certain, be suitably received and preserved.

On the seventeenth of September, being the anniversary of the glorious sortie from Fort Erie, it was my agreeable duty to present to Brigadier General Hugh Brady, of the United States Army, the sword unanimously voted to him by the Legislature of his native State. The veteran soldier, now bears the token of his country's ap-

probation. It was my desire that it should not be unworthy of the commonwealth. It is indeed a beautiful specimen of the artists' taste and skill, and appropriately commemorates the deeds, intended to be rewarded. It is the work of Fletcher & Bennett, of Philadelphia, and cost $1,090.

Permit me to call your attention to a matter connected with the official arrangements of both Houses of the Legislature, but in which the public at large have an interest. It frequently happens, during the summer recess, that citizens of the commonwealth require, for use in courts of justice, or in the progress of claims for pensions from the National government, either original papers or exemplified copies of papers in the possession of the Legislature. The clerks have no power to give the originals, nor are they possessed of an official seal with which to authenticate copies.

The only mode of producing the desired documents in court is to subpoena the clerk, and cause him to carry with him the papers desired. But even this troublesome expedient fails between the second Tuesday in October annually, and the day on which the Legislature assembles, for during that period the clerk's functions cease. It would promote the public convenience, if the clerks were authorized to keep a seal, and give certified copies of documents on file, to be used in evidence. The trouble of making and forwarding the copies, might be paid for by a reasonable fee in each case; and the official character of the clerks of each session might be extended by express enactment till the commencement of the next.

The contingent fund of the office of the Secretary of the Commonwealth, is generally insufficient, during the year in which the Governor's election occurs. Out of this fund are paid the postage, messenger's salary, the price of fuel, printing, stationery, &c., both for the Executive chamber and the Department of State. The postage on election returns for Governor, and on the large number of letters which are addressed to the Executive, during the first six months of his term, generally exhausts the fund before the first of April, on which day the year commences. The fund of the present year will be quite insufficient. This is caused by the large number of circular letters sent out (including the statistical tables before alluded to) in accordance with the directions of the Legislature, and in performance of the duties of the office. It will be necessary to make some provision to meet the demands now existing, and those which will become due before the first of April.

The amount allowed annually, is $2,700. This sum is more than enough for the second and third years of each executive term, counting from the first of April, and the balances unexpended during those years would be sufficient for the other, if they were permitted to accumulate and be applied to it. But a different construction has been given to the law on the subject, by the accountant department. The unexpended balance between April 1836, and 1838, is $1,427 40. I would therefore recommend such a change in the law, as will per-

mit that sum to be added to the fund for the present year, and will continue the same practice hereafter, which provision will be sufficient.

Having thus presented the various objects of present interest that occur to me, it will not be out of place briefly to recapitulate the changes produced during the official term now drawing to a close.

Three years ago there were 32,544 children in the common schools of the state. There are now about 230,000. The schools were then kept open not quite three and a half months. They are now open about seven months in the year. The whole amount of state appropriation was then $75,000 annually; it is now equal to one dollar for each taxable, which will amount to $350,000 for the next school year.

In 1835 the public works yielded $684,377 77, after a most favorable season. During the season just closed, they produce $991,252 42, under the most disadvantageous circumstances; and, with good management and no unusual accidents, will the present year pay $1,600,000.

Since 1835 $2,500,000 have been expended in completing works then said to be finished, renewing defective parts, and keeping the whole in repair; and one hundred and ninety-eight miles of canal, and twenty-nine miles of railway, have been commenced and carried to a considerable state of forwardness, on which $2,100,000 have been expended.

The completed rail roads have been made to answer the end of their construction, and the annual deficiences in the motive power fund, turned into annual excesses.

The permanent state debt, which was $24,330,003 32 in 1835, is now $24,230,000 32; and though there are temporary loans to the amount of $1,000,000 due, yet they were forced on the state in opposition to the exertions of the Executive, and will sink to a small amount, when the sums of a similar kind due at the commencement of the year 1836, are deducted from them.

The state tax, which was then in existence, without hope of termination, has ceased to be collected, and nothing but the utmost profusion can make it again necessary.

The state credit, which was at a low ebb in 1835, is now raised, and the commonwealth obtains even her temporary loans with ease at four per cent.

The currency, which was on the eve of a fearful convulsion in 1835, has been carried through it with less injury than was experienced in any other state—is now restored to its usual soundness—and has secured to it the aid of an institution, which will hereafter preserve its uniformity, if no further ruinous experiments be tried.

And finally, the State has been made to occupy her proper position in the National family, and in relation to the General Government, on all occasions.

I now approach the end of the term for which I was elected, with the consciousness that I have performed the duties of the Executive

Department of the Government with fidelity, according to the best of my judgment and ability, and with the profoundest gratitude for the confidence and support of my fellow citizens; and I fervently hope, that the Divine Author of all things, will continue indefinitely to bestow his favors on them and our beloved country.

JOS. RITNER.

EXECUTIVE CHAMBER, *Harrisburg, Dec.* 27, 1838.

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